

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: ~~5-11-71~~ by pet. in PT order

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>Stone & Webster Engineering Corporation, a corporation</p> <p>vs</p> <p>Tuloma Rigging, Inc., a corporation; Continental Insurance Company of New York, a Corporation; and General Adjustment Bureau, Inc., a Corp.</p> <p>Transport Insurance Company, A Corporation</p> <p style="text-align: center;">Intervenor</p>	<p>For plaintiff: John S. Athens (Stone etc.) Conner, Winters, Ballaine, Barry & McGowen John S. Athens 711 First Natl. Bldg., Tulsa 74103 (585-5711) 586-5692</p> <p>Mudge, Rose, Guthrie & Alexander 20 Broad Street New York, N. Y. 10005 (212-422-6767)</p> <p>For defendant:</p> <p>Deryl Gotcher, Thomas R. Brett (Transp. In.) Jones, Givens, Brett, Gotcher & Doyle 1700 Fourth National Building Tulsa, Okla. 74119</p> <p>THOMAS R. BRETT Ted Fisher (Tuloma) 594-3812 500 W. 7th Tulsa, Okla. 74119</p> <p>J. Warren Jackman (Gen Adj) 594-4110 1100 Fourth Natl Bnk Bldg., Tulsa 74119</p> <p>John Tucker 592-1012, Hallway & Wilson Rhodes, Hieronymus, etc. (Cont. Ins. Co) 2900 4th Natl Bnk Bldg., Tulsa 74119</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 2-1-71	Clerk	1-11-71	Conner	15 00	15 00
		1-14-71	CD 32		
J.S. 6 mailed 4-20-74 5-1-75	Marshal				
Basis of Action: Breach of contract	Docket fee				
	Witness fees				
Action arose at: Tulsa, Okla.	Depositions				

BRATTON

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-11-71	Complaint, filed. summons issued. g	
1-15-71	Return on service of summons, filed. Served Agent for Tuloma Rigging, Raimond R. Janes, at Tulsa, Okla, on 1-13-71. (\$6.12) ds	
2-2-71	Application for additional time to file answer, with order granting deft. until 2-17-71 to file answer, filed. (JHP-Clerk)m	
2-17-71	Answer, filed. g	
3-5-71	Parties directed to hold pre-trial prior to 4-16-71 and file pre-trial order not later than 4-21-71. (AEB-J)m	
4-21-71	It is ordered that parties are granted 5 days from this date, in which to file pre-trial order. (AEB-J)h	
4-26-71	It is ordered that parties are granted until May 3, 1971 in which to file pre-trial order. (AEB-J)h	
4-30-71	Motion to Intervene, filed. js	
4-30-71	Petition in Intervention, filed. js	
4-30-71	Certificate of Service, filed. js	
5-3-71	Order that Transport Insurance Company is permitted to intervene, and directed to file a petition in intervention, filed. (AEB-J)m (copies mailed) (already filed on 4-30-71)	
5-11-71	Pre-trial order, filed. (AEB-J)m	
5-11-71	Motion of deft. and intervenor to join additional party defts., and to permit filing of cross-claim against additional party defts. and brief in support thereof, filed. m	
5-11-71	It is ordered that plaintiff respond to above motion within 10 days. (AEB-J)h	
5-14-71	Order filed, that Continental Insurance Company of New York and General Adjustment Bureau, Inc., be joined additional defendants; that Tuloma Rigging, Inc., and Intervenor, Transport Insurance Company be granted leave to file a cross-claim against party defendants, Continental Insurance Company of New York and General Adjustment Bureau, Inc., and that the defendant Tuloma Rigging, Inc., and intervenor, Transport Insurance Company be granted leave to issue summons for service upon said additional party defendants. (Allen E. Barrow - Judge)	
5-14-71	Cross claim of Tuloma Rigging, Inc., a corporation and intervenor, Transport Insurance Company, a Company, a Corporation, against Defendants Continental Insurance Company of New York, and General Adjustment Bureau, Inc., filed. b	
5-17-71	Third Party Summons issued on Transport Insurance Company and Def. Continental Ins. Co. and General Adjustment Bureau, Inc. h	
5-20-71	Response of pltf. to motion of deft. and intervenor, filed. m	
5-25-71	Summons, returns & filed: served Insurance Commissioner of Okla. at Ok. City, 5-18-71 (USM \$7.72), served The Corporation Co., O.C., 5-19-71. (USM \$4.00)g	
6-1-71	Interrogatories to pltf., Stone & Webster Engineering Corporation, filed. m	
6-1-71	Interrogatories to deft. General Adjustment Bureau, Inc., a corporation, filed. m	
6-1-71	Interrogatories to deft. Continental Ins. Co. of N. Y., filed. m	
6-4-71	Deft's. Motion for Extension of time to file Responsive Pleading, filed. r	
6-4-71	Order that deft's. Continental Ins. Co. is granted 15 days from 6-4-71 which to file a responsive pleading, Filed. (JHP-Clerk) r	
6-7-71	Apply Motion for extension of time to file responsive pleading filed by def. Gen. Adj. Bureau, Inc. filed.h (JHP)	
6-7-71	Order granting Def.Gen Adj. extension for 15 days from today. (AEB-J)h	
6-11-71	Motion of deft. Tuloma Rigging for ext. of time to amend and file	

Sheet No. 2, Page No. 3

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
	cross-claims, filed. m	
6-11-71	Order, that defendant is granted 21 days from this date to file amended and additional cross claims, filed. ds (AEB-J) copies to attys	
6-18-71	Motion for extension of time to file responsive pleading of deft. Continental ins. Co. of NY., filed. m	
6-22-71	Answer of General Adjustment Bureau, Inc., ^{to x claims} filed. js	
6-23-71	Order that deft. Continental Ins. Co. of N.Y. is granted 30 days from 6-19-71 to file responsive pleading, filed. (AEB-J) m (copies mailed).	
6-28-71	Answers to interrogatories, filed. m	
7-1-71	Answers of Continental Insurance Co.-New York to interrogatories, filed. v	
7-2-71	Cross-Claims of Tuloma Rigging, Inc., Against Interpleaded Defendants, Continental Insurance Co. of New York, General Adj. Bureau, and Intervenor, Transport Insurance Co., filed. v	
7-7-71	Defendant General Adjustment Bureau, Inc.'s Answer to interrogatories propounded by Intervenor, Transport Insurance Company, Filed. r	
7-16-71	Motion to Dismiss Cross Complaint of Intervenor, Transport Insurance Company, filed. r With Attached Memorandum in support. Filed. r	
7-16-71	Motion to Dismiss Cross Complaint of Defendant, Tuloma Rigging, Inc. with attached Brief in support. Filed. r	
7-16-71	Ordered by the Court granting 10 days to respond by Warren Jackman, Thomas Brett, Ted Fisher & John Anthens of Deft's Motion to Dismiss Cross Complaint of Intervenor, Transport Insurance Company AND Motion to Dismiss Cross Complaint of Deft. Tuloma Rigging, Inc. (AEB-J)r	
7-16-71	Deft's Application for Extension of time to prepare Answer to Cross -Complaint, filed. r	
7-21-71	Application for order extending time to answer by Plaintiff of 30 days after and from July 26, 1971, filed. v (This is a response to motions to dismiss cross-complaints.)	
7-22-71	Order extending time to respond to Aug. 10, 1971, filed. (JHPoe, Clk)	
7-23-71	Motion to dismiss cross complaint of defendant, Tuloma Rigging, Inc. filed. ds	
7-23-71	Brief in support of motion to dismiss cross complaint of defendant, Tuloma Rigging, Inc. filed. ds	
7-23-71	Motion to dismiss cross complaint of Intervenor Transport Insurance Company, filed. ds	
7-23-71	Memorandum in support of motion to dismiss cross complaint of intervenor, Transport Insurance Company, filed. ds	
7-23-71	Ordered by the Court that parties respond to motion of defendant Tuloma to dismiss cross complaint, and to motion to dismiss cross-complaint of Intervenor Transport Insurance Company within ten days of this date with a responsive brief. (AEB-J) ds	
7-23-71	Response to defendant Continental Insurance Company of New York's motion to dismiss cross-complaint of intervenor, Transport Insurance Company, filed. ds	
7-23-71	Intervenor's memorandum in support of response to motion to dismiss cross complaint, filed. ds	
7-26-71	Tuloma's Application for order extending time to respond to deft., Continental's Motion to dismiss cross-complaint, filed. v	
7-26-71	Order extending time to respond, for Deft., Tuloma, until 8-10-71, filed. v	
7-26-71	Intervenor's response to motion to dismiss cross-complaint, filed. v	
7-26-71	Memorandum in opposition to deft. General Adjustment Bureau, Inc.'s Motion to dismiss cross-complaint of the intervenor.	

-OVER-

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-5-71	Order, extending time to answer cross-complaint to August 19, 1971, filed. John H. Poe, Cl. ds <i>Exhibits mailed daily</i>	
8-10-71	Response of cross-claimant, Tuloma Rigging, Inc., to impleaded Deft., general adjustment bureau, Inc.'s, motion to dismiss cross-claim of Tuloma Rigging, Inc., filed. v	
8-10-71	Memorandum in support of response to motion of continental Insurance Company of New York to dismiss cross-claim of Tuloma Rigging, Inc., filed. v	
8-10-71	Response of defendant, Tuloma Rigging, Inc., to defendant, continental Insurance Company of New York's, Motion to dismiss cross-complaint of said defendant, filed. v	
8-10-71	Memorandum in support of response of Tuloma Rigging, Inc., to the Motion to dismiss of General Adjustment Bureau, Inc., filed. v	
8-10-71	Response of Plaintiff to Motions to Dismiss of Deft. General Adjustment Bureau, Inc., filed. r	
8-10-71	Response of Plaintiff to motions to dismiss of Defendant Continental Insurance Company of N. Y. Filed. r	
8-17-71	Answer of Transport Ins. Co. to cross-claim of Tuloma Rigging, Inc., filed. g	
11-1-71	Amendment to answer of transport insurance company to cross-claim of Tuloma Rigging, Inc. filed. ds Leave granted intervenor to file amendment to answer, 11-1-71. (AEB-J)	
11-23-71	Notice to take Depositions of C.R. Von Bargaen, Don Harrison, Bud Lyoness, --in Minnesota on Dec. 21, 1971, filed. v	
11-23-71	Notice to take depositions of C.R. Von Bargaen, Jerry Mis, Bob Elwell, Joe Stanulis---in Michigan on Dec. 20, 1971, filed. v	
12-14-71	Ordered that the U.S. Magistrate conduct the hearing on the following motions: Motion of Continental Ins. Co. to Dismiss Cross Complaint of Transport Ins. Co.; Motion of Continental Ins. Co. to Dismiss Cross Complaint of Tuloma Rigging Inc.; Motion of General Adjustment Bureau to Dismiss Cross Complaint of Tuloma Rigging; and Motion of General Adjustment Bureau to Dismiss Cross Complaint of INTERVENOR Transport Ins., Co. (AEB-J)v	
12-14-71	Case called for hearing on above mentioned motions. Pltf., Deft., and INTERVENORS represented. Statements made. Motion of Continental Ins. to Dismiss Cross Complaint of Transport Ins.-- <u>DENIED</u> : Motion of Continental Ins. to Dismiss of Tuloma Rigging-- <u>DENIED</u> : Motion of Gen. Adjustment to Dismiss Cross Complaint of Tuloma Rig.-- <u>DENIED</u> : Motion of Gen. Adjust. to Dismiss Cross Complaint of Intervenor Transport-- <u>DENIED</u> . Deft.'s Counsel, Ted Fisher, to prepare the orders. Deft.s are allowed 15 days to answer. (MLB-USMag.)(Millie Ballard)v	
12-17-71	Recommendations of magistrate, filed. ds	
12-17-71	Order filed, approving recommendations of magistrate. Motion of Continental Ins. Co. to dismiss cross-complaint of Transport Ins. Co. overruled. Motion of Continental Ins. Co. to dismiss cross-complaint of Tuloma Rigging, Inc. overruled. Motion of General Adjustment Bureau to dismiss cross-complaint of intervenor, Transport Ins. Co. overruled. Continental Ins. Co. and General Adjustment Bureau granted 15 days from 12-14-71 to answer cross claim. <i>Exhibits mailed</i>	
12-28-71	Answer of defendant, General Adjustment Bureau, Inc. to the amended cross-claim of Tuloma Rigging, Inc. filed. ds	
12-29-71	Answer to Cross Claim of def., Tuloma, and Intervenor, Transport Ins. Co., of Def., Continental Ins., filed. rm	
12-29-71	Answer of def., Cont. Ins., to Cross-Claim of Tuloma, filed. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-13-72	Notice to Take Depositions of Jerry Mis, Bob Elwell, and Joe Stanulis, before Mr. Wall of Gen. Reporting Service, in Michigan on Monday Jan. 24, 1972, filed. v	
1-13-72	Notice to Take Depositions of Bud Leines, American Hoist and Derrick, St. Paul, Minn., will be taken before Steve Janicek, a Notary Public in Minn. at the offices of American Hoist & Derrick Co. on Tues., 1-25-72, filed. v	
2-22-72	Deposition of Joseph Stanulis, Jr., Robert Elwell and Gerald Mis, and exhibits 1 through 15, for Intervenor Transport Ins. Co., taken on 1-24-72 at Bay City, Michigan, filed. ds Charles G. Wall, CSR.	
2-25-72	Deposition of Thormen A. Leines, filed. g	
3-3-72	Parties directed to hold pre-trial prior to 4-5-72 and file pre-trial order not later than 4-14-72. (AEB-J)hm	
4-24-72	Case set for jury trial for Monday 5/22/72 at 9:30 am. (AEB-J) rm	
5-1-72	Joint Appl. of parties for 30 day ext. of time to file PT Order, filed. rm	
5-2-72	Order granting parties to 5/14/72 to file PT Order. (AEB-J)rm-copies mailed	
5-4-72	Interrogatories to plaintiff, filed. hm	
5-5-72	Joint application for continuance and extension, filed. hm <i>orig to Mauleyn</i>	
5-8-72	Order, filed, granting parties until 5-31-72 to file PT order and until 6-15-72 to file briefs & case is stricken from jury trial of 5-22-72, to be reset on next jury docket. (AEB-J)hm (copies mailed)	
5-10-72	Deposition of Perry A. Hadden, filed. rm	
5-31-72	Answer to Interrogatories, filed by the Plaintiff. v	
6-7-72	Appl. of pltf. for modification of PT Order and for enlargement of time to 6/15/72 to file add. pt order, filed. rm (<i>Order to J</i>)	
6-8-72	Order, filed, that Court's order of 5-2-72 is modified to provide that first PT order dated 5-3-71 and filed 5-11-71 is not altered; that a 2nd PT order be prepared & filed & to be the responsibility of the intervenor & given until 6-15-72 to file said PT order. (AEB-J)hm (copies mailed)	
6-16-72	Application of Tuloma Rigging, Inc., Deft., for Order Enlarging Time, filed. v -order to Judge.	
6-19-72	Order filed that the second pre-trial order specified and the pre-trial order brief be enlarged for parties until 7-1-72 to file both. (AEB-J)h	
7-6-72	Joint application of parties for ext. of time to file second PT Order and PT briefs, filed. rm - order to J.	
7-7-72	Order giving parties to 8/30/72 to submit PT briefs, and 15 days after ruling on questions of law in which to file second PT Order and PT briefs. (AEB-J) rm - copies mailed <i>when these briefs are filed, notify Mauleyn</i>	
8-29-72	Trial brief of intervenor, Transport Ins. Co., filed. rm <i>orig to Mauleyn</i>	
8-30-72	Defendant's memorandum brief, filed. ds <i>orig to Mauleyn</i>	
8-30-72	Pltf's brief respecting preliminary questions of law certified to the court, filed. hm <i>orig to Mauleyn</i>	
8-31-72	Brief of deft., Tuloma Rigging, Inc. on preliminary questions of law certified to the Court, filed. hm <i>orig to Mauleyn</i>	
9-25-72	Deposition of L. W. Welser, on behalf of the Deft.s, taken before Loyd J. Christesson, on 4-5-72, with fees of \$82.00, pd. by the Def.ts, filed. v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-30-72	Pltf.'s Supplemental Brief Respecting Preliminary Questions of Law Certified to the Court, filed. v	
11-1-72	Reply of intervenor to pltf.'s suppl. brief re prel. questions of law certified to court, filed. rm	
3-20-73	Order, filed, ruling on two questions of law, and ordering parties to conduct pre-trial conference by 4-16-73 and file pre-trial order not later than 4-23-73. (AEB-J)hm (copies mailed)	
3-30-73	Intervenors Objection to order entered 3-20-73 and application for oral argument, filed. hm	
4-2-73	Deft. Continental Ins. Co., Application for Review, filed. jj	
4-2-73	Brief in Support of Application for Review, filed. jj	
4-2-73	Brief of Transport Ins. in support of obj. and appl., filed. rm	
4-3-73	Ordered that pltf. is granted 10 days in which to respond to defs. Continental Ins. and Transport Ins. respective applications and objs. (AEB-J)rm - ltr. written	
4-6-73	Appl. of pltf. for enlargement of time to respond to defs. appls. and objs., filed. <i>rm Order to J</i>	
4-11-73	Order granting plt. until 4-23-73 to respond to applications, filed. (AEB-J)g <i>copies mailed</i>	
4-23-73	Pltf's Brief in Response to Application for Review by Deft. Continental Ins. and to Objection and Application by Intervenor Transport Ins., filed. jj	
4-24-73	Appl. for order extending the time to file pre-trial order of Deft.s and Intervenor, filed. v -order to Judge.	
4-27-73	Order filed, granting defts and intervenor an ext until 5-23-73 in which to file a pre-trial order, filed. (AEB-J)r (Copies mailed)	
5-21-73	Appl. to extend time to file pre-trial order, filed by Intervenor & Deft. v -order to Judge.	
7-12-73	Notice to Take Deposition Neal McDonald, et al filed.h	
12-7-73	Order overruling objection & appl. fld by Intervenor, Transport Insur. Co. (AEB-J)v -copies mailed.	
12-7-73	Order, overruling appl. for review filed by Continental Insur. Co. of New York, filed. (AEB-J)v -copies mailed. <i>PT, ready for</i>	
12-12-73	MO: Parties directed to hold PT conference prior to January 21, 1974, and file PT order not later than January 30, 1974. (AEB-J)v -notices mld.	
1-24-74	APPLICATION of Stone & Webster etc. for Extension of Order of 6-7-72, filed.jj <i>RM</i>	
1-24-74	MO: Ordered by the Court that defts. are granted 10 days from this date to respond to pltf's Appl. for Ext. of Order. (AEB-J)jj	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-25-74	Motion to settle pre-trial order & objection to appl. of pltf. filed herein on 1-24-74, filed with brief in support as part of this pldg. v	
1-25-74	Proposed Pre-Trial Order of Defendants, filed. v	
3-11-74	Trial Brief of Tuloma, Inc., filed. e	
3-11-74	Joint Appl. for Partial Dismissal and Partial Release of Claim, filed, jj 0 to J	
3-12-74	Pltf's Brief in Response to Defts' and Cross-Claimants' Motion to Settle Pre-Trial Order and Objections, filed. e and entered	
3-12-74	Order, filed, that the claim set forth in Paragraph 1(c) of Tuloma Rigging, Inc.'s cross-claim against Transport Insurance Co. in the amount of \$13,438.03 as provided in the joint appl. & Tuloma's claim for damages for clean up against Transport Insur. Co. is <u>DISMISSED</u> with prejudice. (AEB-J)v -copies mailed.	
3-13-74	Ordered by the Court that a pre-trial order, joined in by all parties, shall be submitted within 20 days from date. (AEB-J)hm (letter written parties by Judge)	
4-4-74	Pre-trial order, filed. (AEB-J)g	
4-16-74	ORDER filed, denying out of time request by Tuloma, Transport, Continental and General for a jury trial, and <u>case set for hearing on next non-jury docket.</u> (AEB-J)e <i>Copies mailed</i>	
5-14-74	Notice of defendant/ ^{Tuloma Rigging, Inc.} presentation for leave of Court to file counter-claim out of time, instant, filed. ds <i>copy of letter + proposed order filed</i>	
5-13-74	Pltf's Appl. for Order Granting Time to Respond to deft's Mo. to file counter-claim, filed. e	
5-17-74	Order, filed, granting pltf. until 5-30-74 to respond to deft's mot. to file counterclaim. (AEB-J)g <i>copies mailed</i>	
5-30-74	Response of pltf. to notice of deft. Tuloma Rigging, Inc., for leave to file counterclaim out of time and brief in support thereof, filed.hm	
6-4-74	Order, filed, overruling Tuloma Rigging, Inc.'s motion for leave to file counter-claim out of time. (AEB-J)g cpies mailed	
8-19-74	Case set for non-jury trial on 11-11-74, at 9:30 A.M. (AEB-J)b	
9-26-74	Pltf's Motion for Continuance, filed. lm <i>to present 0 copy to MC</i>	
10-8-74	Motion of Intervenor, Transport Insurance Co., for Summary Judgment., filed. v	
10-8-74	Memorandum Brief in Support, filed. v	
10-8-74	MO: ORDERED by the Court that Plaintiff and Defendants are granted 10 days from this date to respond to the Motion of Intervenor, Transport Insurance Co., for Summary Judgment. (AEB-J)v	
10-9-74	MO: ORDERED by the Court that Plaintiff's motion for continuance be and the same is hereby overruled. (AEB-J)by MC) b	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-16-74	Response of Pltf. to Mot. for Summary Judg. of Intervenor, Transport Insurance Co. Respecting Cross-Claim against Intervenor of Deft. Tuloma Rigging, Inc., filed. v	
10-17-74	Motion of Deft. Tuloma Rigging for Summary Judgment, and Response to Motion for Summary Judgment of Transport Insurance Co., filed. b	
10-17-74	Memorandum Brief of Tulsa in Support of Response to Motion of Intervenor, Transport Insur. Co., for Summary Judgment on Cross-claims of Tuloma Rigging, Inc., filed. b	
10-22-74	MO: IT IS ORDERED BY THE COURT that this case is transferred to Judge Howard C. Bratton for Non-Jury Trial on 11-11-74 at 9:30 A.M. (AEB-J)v -notices mailed.	
11-1-74	ORDER Denying Motions for summary judgment of Deft. Tuloma Rigging, Inc. & intervenor, Transport Insur. Co., filed and entered.(HCB-J) b copies mld.	
11-5-74	Loss of Use Trial Brief of Continental Insurance Company and General Adjust ent Bureau, filed. lm	
11-5-74	Memorandum of Continental Regarding Valuation Payment and Settlement of the Physical Damage Claim, filed. lm	
11-21-74	Pre-trial hearing held. Parties represented. Court announces case passed for non-jury trial until late February or March, 1975.(HCB-J)hm	
12-2-74	MO: Ordered by the Court that this case is set for TRIAL ON MERITS on 3-4-75 at 9:30 A.M. (HCB-J)v -notices mailed this date.	
12-16-74	Transcript of pre-trial conference, filed. (Margaret M. Wilkins,CR)g	
2-26-75	MO: Ordered by the Court that this case is passed from non-jury docket of 3/4/75 and reset for 9:30 a.m., Monday, 3/17/75.(HCB-J)rm parties notified by phone & ltr.	
2-26-75	Pltf. trial brief, filed. rm To 3-17-75. v	
3-5-75	Pltf's Exhibits to be Offered at Trial, filed.jj to 3-17-75. v.	
3-10-75	Designation of additional exhibits by 3rd party deft. Continental Insurance Co., filed. g	
3-11-75	Trial brief of Transport Ins. Co., filed. hm	
3-11-75	Deft. Transport Ins. Co's exhibits to be offered at trial, filed. hm	orig to 3-17-75. v.
3-12-75	Third Party Deft., Gen. Adjustment Bureau, Inc.'s, Designation of Additional Exhibits, filed. v	
3-13-75	Deft., Tuloma Rigging, Inc.'s Supplemental Designation of Proposed Exhibits, Filed. mm	
3-17-75	Deposition of L.C. Stith on behalf of pltf. taken before Loyd J. Christesson 3-4-75. Fee of \$382.50 pd by pltf. filed.jj	
3-17-75	Deposition of Edward W. Smith on behalf of Intervenor taken before Loyd J. Christesson on 3-10-75, filed. Fee of \$195.00 paid by Intervenor.jj	
3-17-75	Pltf's Reply to Trial Brief of Transport Ins. Co., filed.jj	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-19-75	Non-jury trial held before Judge Bratton on 3/17/75, 3/18/75 and 3/19/75. Parties present & rep. by counsel of record. Exhibits of pltf. & def. Tuloma & Transport admitted into evidence. Basic lawsuit trial held with statements made; witnesses sworn & testify and exhibits admitted. On 3/18/75 at 12:05 p.m., Ct. renders decision on basic lawsuit in favor of pltf in net amount of \$112,841.12. Ct. then proceeds to cross-claim trial. Statements made; witnesses sworn & testify and exhibits admitted. On 3/19/75 at 11:10 a.m., Court renders findings re cross-claim trial. Ct. directs pltf. to prepare and file proper judgment in conformity with Ct.'s oral findings. Ct. grants pltf. 10 days from this date to furnish data re question of atty. fees and interest; defs. to respond thereto within 7 days thereafter. (Howard C. Bratton-Judge)(Margaret Wilkins-Court Reporter)rm	
3-19-75	Trial exhibits of all parties, filed. rm (in exhibit room)	
3-21-75	Deft. Transport Insurance Company's Supplemental Designation of Exhibits, filed. mm	
3-27-75	Transcript of Decision of the Court, filed.jj	
4-18-75	Judgment, filed and entered, that pltf. recover of def. Tuloma the total sum of \$125,178.12, as set out in judg.; that Tuloma's setoff of \$12,000 against S&W for gin pole rental for mos. of Feb. & March, 1969, is denied; that def. Tuloma recover of def., Transport, the total sum of \$126,475; that def. Tuloma recover of def. Continental the total sum of \$4,883.12; that def. Tuloma take nothing from def. Transport on certain invoice claims; that def. Tuloma take nothing from other defs. on claim for portions of Amer. Hoist repair bill in excess of \$91,000; that def. Tuloma take nothing on claim against def. Transport for \$2500 atty fee. (HCB-J)rm - copies to all counsel, together with copy of Judge Bratton's letter of 4/16/75	
4-23-75	Bill of costs, filed. Hearing set for May 1, 1975, at 10:00 A.M., before the Clerk. b	
4-25-75	Objection to Bill of Costs by Intervenor, Transport Ins. Co., filed. mm	
4-28-75	Bill of Costs of def., Tuloma, against def., Continental, filed. Hearing set for May 1, 1975 at 10 a.m. before Clerk. rm	
4-28-75	Bill of Costs of def., Tuloma, against def., Transport Ins., filed. Hearing set for May 1, 1975 at 10 a.m. before Clerk. rm	
4-28-75	Motion for new trial of def., Tuloma, as to part of issues, filed. rm	
4-28-75	Brief of def., Tuloma, in support of mo/new trial, filed. rm <i>copy to Bratton</i>	
4-29-75	<i>see notes</i> Response in Opposition to Request for taxing costs, filed by 3rd party def., Continental Insurance Co. of New York. v <i>copy to Bratton</i>	
5-2-75	MOTION to retax costs on cross-claims of Tuloma Rigging, Inc. against Transport Insurance Co, with supporting authorities, filed.lm <i>copy to Bratton</i>	
5-2-75	Supplemental Brief of Tuloma in Support of Motion for New Trial, filed, lm <i>copy to Bratton</i>	

DATE	PROCEEDINGS	Date Order or Judgment Note
5-1-75	Hearing on taxation of costs held before Clerk. Costs taxed in amt. of \$123.07 in favor of Tuloma and against Continental; costs taxed against Transport Ins. in amt. of \$2,283.99 and in favor of Tuloma; costs taxed against Tuloma and in favor of Stone & Webster in amt. of \$2,307.06. (JCS-Clk)rm	
5-16-75	Notice of appeal by def/intervenor, Transport Ins. from judg. of 4/18/75, filed. rm (copies to USCA)	
5-19-75	Notice of appeal by def. Tuloma from judg. of 4/18/75, filed.rm (copies to USCA)	
5-21-75	Bond for costs on appeal of def., Tuloma (\$250 cash), filed. rm	
5-23-75	Bond for costs on appeal of deft., Transport Insur. Co., (\$250 ck) filed. b	
5-30-75	Notice of cross-appeal by pltf. from judg. of 4/18/75 insofar as said judg. failed to award pltf. atty fee and int. w/respect to damages, filed. rm	
5-30-75	Letter from Judge Bratton to all counsel, filed, stating that inas-much as notices of appeal have been filed, the Ct. is without juris-diction to rule on pending motions; further if & when the Ct. has jurisdiction, it will deny any motions for new trial or reconsideration; further that case is at rest and any mos/renew or revive will be denied. (HCB-J)rm	
6-4-75	Notice of appeal by def., Tuloma, from orders & judgs. of this Ct. entered on 5/30/75 re mo/new trial and taxation of costs, filed.rm (copy to USCA)	
6-6-75	Letter, filed, from Tom Brett, as designation of portions of record on appeal, together with copy of ltr. to Judge Bratton, re depositions.rm	
6-9-75	Bond for costs on appeal (\$250 surety), filed by pltf. Stone & Webster. rm	
6-23-75	Application for Extension of Time for Transmission of Record of Appeal filed by Defendant and Intervenor. mm (HCB-J)	
6-30-75	Order Extending Time for Transmission of Record on Appeal for 90 days or untill 8-14-75, filed. (HCB-J) cps mld mm	
7-3-75	Letter, filed, from def. Tuloma, designating letter of Court of 4/16/75 as docketed 4/18/75, be included in record on appeal. rm	
7-9-75	Stipulation of def. Tuloma and Intervenor, Transport, re posting of \$145,000 superseding bond, filed. rm	
7-17-75	Order, filed, that def. Tuloma & intervenor, Transport, are to file surety bond in amt. of \$145,000, superseding judg. granted pltf. herein. (HB-J)rm - copies md.	
7-17-75	Order, filed, extending time for filing and docketing appeal to 8/30/75. (HB-J)rm-copies to counsel and USCA	
8-14-75	Supersedeas bond, filed, in sum of \$145,000.00; Tuloma Rigging, Inc. and Transport Ins. Co., principals, and United States Fidelity & Guaranty Co., surety.g	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-18-75	Release & satisfaction of judgment in favor of Tuloma Rigging, Inc. and against deft. Continental Ins. Co., filed. g	
9-9-75	Order of 10th Circuit extending time to transmit record on appeal to 10/2/75. rm	
9-10-75	Release & satisfaction of judgment in favor of Stone & Webster Engineering Corporation and against deft. Continental Insurance Co. of New York, filed. mm (This is part of judg. in favor of Tuloma and against Cont.)	
10-1-75	Copy of motion and Order of 10th Circuit, granting parties to 10/27/75 to transmit record on appeal, filed. rm	
10-14-75	Satisfaction and release of judgment, filed. hm	
10-14-75	Satisfaction & release of judgment for claims of pltf. against deft. Tuloma Rigging, Inc., arising from gin pole lease agreement of 12-2-68, filed, in amt. of \$115,200.00.k	
10-17-75	Mandate of USCA, filed & spread of record, dismissing the appeals on application of appellants. g	
11-19	Order, filed, that Clk. refund cash appeal bond in amt. of \$250.00, to Tuloma Rigging, Inc., or its atty. Ted Fisher. (AEB-J)v <i>cp to Fisher</i>	
<u>1982</u>	APPLICATION of intervenor, Transport Ins. Co. to refund \$250.00 cash bond. (O as part of app to J)jc ORDER directing Clk to disburse the \$250.00 cash appeal bond to Transport Management Company (Transport Insurance Co) to be mailed to Mr. Harold M. Slaughter. (HDC-J)jc (c/mvt.)	
4-27		
4-29		

DATE	PROCEEDINGS	Date Order or Judgment Noted